

REMARKS

Status of the Claims

Applicants file this amendment supplemental to the amendment filed on January 10, 2008. This amendment contains additional remarks and amendments to the claims to further support the patentability of the present application. Applicants respectfully request entry of the January 10, 2008 amendment, and entry of the present amendment. All of the remarks and arguments included with the January 10, 2008 reply are incorporated by reference herein.

Claims 1-2 and 4-12 are pending in the application. Claims 1 and 6 are currently amended. Reconsideration and allowance of all of the pending claims is respectfully requested.

New matter is not being added to the application by way of this amendment. Claim 1 is amended to clarify the subject matter of the claim, and does not change the intended scope of the claim. Claim 6 is amended to be dependent on claim 1 and is consistent with claim 6 as originally filed with the application. Accordingly, no new matter is added and entry of this amendment is respectfully requested.

Examiner Interview

Applicants thank the Examiner for the courtesy of an interview that was conducted on February 5, 2008. Applicants are in receipt of the Interview Summary issued by the Examiner at the conclusion of the interview. The Examiner's comments made during the interview have been incorporated into this supplemental reply.

Rejection under 35 USC 103(a)

Claims 1-2 and 4-12 stand rejected under 35 USC 103(a) as being unpatentable over JP '528 (JP 2002/159528; US Patent Publication 2004/0030317 is used as the English equivalent). Applicants respectfully traverse this rejection for the following reasons.

The Examiner indicated during the interview that the amendment to claim 1 presented in the January 10, 2008 reply reciting a "cut fragment" would in principle overcome the applied references. See interview Summary, dated February 5, 2008. The Examiner however objected to the wording of claim 1 as included with the January 10, 2008 amendment, and suggested amendments to claim 1 "such that it clearly claims the adjacent elastic members from which the members are cut are the elastic members which contribute to elastic extensibility." See Interview Summary.

Accordingly, applicants herewith include amendments to claim 1 that are believed to be consistent with the Examiner's proposed suggestions made during the interview. If the Examiner determines that further clarifying amendments are needed, the Examiner is requested to contact J. Mark Konieczny, Ph.D. (Reg. No. 47,715) at the telephone number of the undersigned below to conduct a further interview to advance prosecution and allowance of the case.

Applicants respectfully submit that all of the remaining issues in this application have been fully addressed, and that the claims are in condition for allowance. An early reconsideration and Notice of Allowance are respectfully requested.

Conclusion

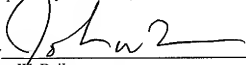
A Notice of Allowance indicating the allowability of pending claims 1, 2, and 4-12 is respectfully requested.

Should the Examiner have any questions regarding the instant reply, or wish to set up an interview to expedite further prosecution of this case to allowance, she is respectfully requested to contact J. Mark Konieczny, Ph.D. (Reg. No. 47,715) at the telephone number indicated below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,


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